

...saying that trying to dispel that myth," said Ken Loukinen, founder of the 400-member Florida Atheists and Secular Humanists, which is spon-

...by to www.freethoughtworld.com, where they can donate toward putting up similar signs throughout Florida. Over the past six

...atheism as a cause rather than simply a stance. And polls show that fewer Americans are embracing religion. According to the American

...say they're atheist, says Lesley Northrup, a professor at Florida International University who studies religious trends. "People often say 'I'm

...Davie, Fla., restaurant, up from the usual dozen. Over beers and burgers, nonbelievers, agnostics, skeptics and lapsed Jews,

...year-old former Muslim. "I don't want to pretend to be a believer, but I have to because I like some of these people."

## PUBLIC NOTICE

### Request for Bids/Notice to Bidders

Notice is hereby given that sealed bids will be received by the Bismarck Public School District, Bismarck, ND 58501, for three school buses. The vehicles must meet state and federal requirements. Bids must be submitted on the forms provided by the school district and are available from the school district's Facilities and Transportation office located at 705 South 5th Street, Bismarck, ND 58504 or by calling 701-323-4502.

All bids must be in a sealed envelope marked clearly on the outside "SCHOOL BUS". Bids are to be delivered to the office of Darin Scherr, Director of Facilities and Transportation, Bismarck Public School District #1 on or before 2:00 pm, Tuesday, August 18, 2009 at which time they will be opened. Bid opening will be at 705 South 5th Street.

The school board reserves the right to accept or reject any or all bids, to waive any irregularities in any proposal, and/or accept the best bid suited to the needs of the Bismarck Public School District.

Dated at Bismarck, ND this 5th day of August 2009.

8/8 - 604366

### PUBLIC HEARING NOTICE

Notice is hereby given that the Bismarck Renaissance Zone Authority will be holding a public hearing on Wednesday, August 12, 2009 at 4:00 pm in the Second Floor Conference Room at the City-County Office Building, 221 North 5th Street, Bismarck, North Dakota, to consider the following:

\*Request of SPMGC, LLC for designation of the rehabilitation of the building at 100 West Broadway Avenue as a Renaissance Zone Project. The property is owned by SPMGC, LLC and is legally described as Lots 1-24, Block 58, Original Plat.

At this hearing, the Renaissance Zone Authority will provide an opportunity for interested persons to be heard with respect to the item. Interested persons may also submit comments regarding the request prior to the meeting to Jason Jomanek with the Community Development Department - Planning Division at PO Box 5503, Bismarck, North Dakota 58506-5503; phone: 701-355-1849; fax: 701-222-6450; or e-mail: jomanek@nd.gov.

A description of the request is on file and may be reviewed any working day between 8:00 a.m. and 5:00 p.m. at the Community Development Department - Planning Division, 221 North 5th Street, Bismarck, North Dakota.

Carl D. Hokenstad, AICP  
Director of Community Development  
of Bismarck

Dated this 28th day of July, 2009  
7/31 & 8/8 - 604336

### NOTICE OF AVAILABILITY FINDING OF NO SIGNIFICANT IMPACT FOR ENVIRONMENTAL ASSESSMENT EMMONS COUNTY PHASE EXPANSION PROJECT SOUTH CENTRAL REGIONAL WATER DISTRICT

The Bureau of Reclamation, Dakotas Area Office has completed a finding of no significant impact (FONSI) on the environmental assessment (EA) for the funding of design and construction of the Emmons County Phase Expansion Project of the South Central Regional Water District, a regional municipal, rural, and industrial water system that will provide a reliable quantity and quality, potable drinking water service to rural residents in Emmons County.

The project will be constructed in phases and amount to size, cost, and time to secure the amount of Federal and State funds necessary to complete the design and construction to include; a raw water intake in Lake Oahe, a water treatment facility with evaporation ponds and power line, water storage tanks, and installation of main transmission and distribution pipelines and appurtenances.

The EA described the Proposed Action, to construct the Emmons County Phase projects, the impacts of the Proposed Action and identified the magnitude of benefits and adverse effects.

We have determined that Reclamation's Proposed Action, as described in the EA, will not result in significant impacts to the human and natural environment; therefore, an environmental impact statement will not be prepared. A complete explanation for Reclamation's decision based on the analysis of the project's anticipated environmental impacts is contained in the FONSI.

Anyone interested in obtaining a copy of this document should write: Dennis Breitman, Area Manager, Dakotas Area Office, Bureau of Reclamation, PO Box 58501, Bismarck, ND 58502 or contact Kelly McPhillips, Environmental Specialist, at 701-221-1287.

8/8, 15, 22 - 604369

### STATE OF NORTH DAKOTA COUNTY OF BURLEIGH IN DISTRICT COURT SOUTH CENTRAL JUDICIAL

Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home Mortgage, Inc., Plaintiff,

vs.  
Robert Overbeck;  
Joetta Overbeck;  
A.R. Audit Services, Inc.;  
and any person in possession,  
Defendants.

Civil No. 09C1735

### SUMMONS

THE STATE OF NORTH DAKOTA TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned to appear and defend against the Complaint in this action, which has been filed with the Clerk of Court or is herewith served upon you, by serving upon the undersigned a copy of an answer or other proper response within twenty (20) days after the service of this

Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. The original Complaint is filed with the Clerk of the District Court in the County in which this action is commenced.

This action relates to the foreclosure of a mortgage upon the following described real property in the County of Burleigh, State of North Dakota:

The center Fifty Feet of Lots Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), and Twenty-four (24), Block Twenty-six (26), Coffins Addition to the City of Bismarck, Burleigh County, North Dakota, a/k/a 1007 Michigan Avenue, Bismarck, ND 58504

The Plaintiff is not seeking a personal judgment against the above-named Defendants.

Dated July 27, 2009  
MACKOFF KELLOGG LAW FIRM  
Attorneys for the Plaintiff

Office and Post Office Address:  
38 Second Avenue East  
Dickinson, North Dakota 58601

By: /s/Bethany Abrams

Bethany Abrams Attorney #06344

Tel: (701) 227-1841

Fax: (701) 225-6878

THIS IS AN ATTEMPT TO COLLECT THE REFERENCED DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.

8/8, 15, 22 - 604368

### STATE OF NORTH DAKOTA COUNTY OF BURLEIGH DISTRICT COURT SOUTH CENTRAL JUDICIAL DISTRICT

Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home Mortgage, Inc., Plaintiff,

vs.  
Thomas Feist; Mary Kay Feist  
and any person in possession  
Defendants

CIVIL NO. 9-C-1736

### SUMMONS

THE STATE OF NORTH DAKOTA TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned to appear and defend against the Complaint in this action, which has been filed with the Clerk of Court or is herewith served upon you, by serving upon the undersigned a copy of an answer or other proper response within twenty (20) days after the service of this

Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint. The original Complaint is filed with the Clerk of the District Court in the County in which this action is commenced.

This action relates to the foreclosure of a mortgage upon the following described real property in the County of Burleigh, State of North Dakota:

The East One Hundred Forty (140) Feet of Lots Nine (9) and Ten (10), Block Thirty Eight (38), Fisher Addition to the City of Bismarck, Burleigh County, North Dakota, a/k/a 1212 North 15 Street, Bismarck ND 58501.

The Plaintiff is not seeking a personal judgment against the above-named Defendants.

Dated July 27, 2009  
MACKOFF KELLOGG LAW FIRM  
Attorneys for the Plaintiff

Office and Post Office Address:  
38 Second Avenue East  
Dickinson, North Dakota 58601

Tel: (701) 227-1841

Fax: (701) 225-6878

By: /s/Bethany Abrams

Bethany Abrams Attorney #56344

THIS IS AN ATTEMPT TO COLLECT THE REFERENCED DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR

8/8 15, 22 - 604367

### United Tribes Technical College Student Union Food Service Request for Proposals

United Tribes Technical College (UTTC) in Bismarck, North Dakota is seeking proposals from food service business owners to provide a coffee shop/deli at the UTTC Student Union.

One pre-selection criterion must be met: Business owners or individuals must provide proof (certification) that their principals or firms are not debarred, suspended, or found ineligible to participate in transactions with the federal government.

Selection criteria: (1) List food service projects previously completed successfully; (2) list qualifications and experience of operating a food service business and any additional staff that will work directly with this project; (3) provide a portfolio of proven food service business strategies; (4) discuss successful experience working in tribal communities; (5) discuss successful experience working with college campuses; (6) provide three reference letters with full contact information for previous projects completed successfully; (7) provide tentative hours of operation.

The coffee shop/deli is located in the lower level Jack Bardien Center that will be launched into a student union by the Fall of 2009. The coffee shop/deli cooking area is 20 ft x 10 ft. The college has an estimated population of 1,000 students, 350 staff, along with public constituents that visit the campus on a daily basis. The students want a place that is an alternate to the traditional cafeteria. They would like to see a light breakfast/coffee menu, lunch and food in the evening for when the cafeteria is closed.

Food service entities and individuals that do not satisfy the pre-selection criteria will not be considered. Those business owners and individuals that meet the pre-selection

criteria will be evaluated under the selection criteria. UTTC will award 10 points for each of the selection criteria based on the applicant's demonstration of experience completing successful projects and experience in the selection criteria. UTTC reserves the right to reject any and all application packages. Indian preference may be applied if appropriate.

Those interested in submitting an application package may send 7 copies of their qualification statements to:

Russell Swaggar  
Vice President of Student  
& Campus Services  
3315 University Drive  
Bismarck, North Dakota 58504

Packages must be received in Russell Swaggar's office no later than 5:00 pm CST on July 31, 2009. Packages may be hand delivered to United Tribes Technical College Student & Campus Services Department. You may call for directions to the building at (701) 255-3285 ext. 1260. You may contact Russell Swaggar at rswaggar@uttc.edu only if you have questions regarding the application. Only those responding within this time frame will be considered.

Negotiations will be conducted with the three most highly ranked proposals beginning with the highest ranked food service entity and in descending order until an agreement can be reached. UTTC's ranking of the food services entities will be final.

8/3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 604346

### ADVERTISING FOR BID

(Open Bidding with Indian Preference)

(2) Six-Plex Dwelling Units  
Project ND 5-030

Fort Berthold Housing Authority  
New Town, North Dakota

The Fort Berthold Housing Authority (hereinafter, "the Housing Authority") will receive bids for the construction of (2) Six-Plex Dwelling Units at Twin Buttes, North Dakota.

The project consists of two (2), 6-plex apartment complex units.

Bidding: Bids will be accepted until 1:00 pm Local Time on August 17, 2009 in the conference room at the office of the Fort Berthold Housing Authority in New Town, North Dakota, after which time they will be opened, read aloud, recorded and accepted for consideration. Bids received after this time will not be accepted. No fax bids allowed.

Pre-Bid Conference: A Pre-Bid Conference will be held on August 10, 2009, at the office of the Fort Berthold Housing Authority in New Town, North Dakota, at 1:00 pm local time.

Indian Preference:

1. Bids are invited from non-Indian as well as pre-qualified Indian owned economic enterprises or organizations.

Pre-Qualification for Indian Preference:

Deadline for pre-qualification will be August 10, 2009, at 1:00 pm local time.

1. Prior to the Bid Opening, Indian bidders must submit to the Housing Authority on an authority form a Pre-Qualification application which is available from the Housing Authority. The Housing Authority will review Indian enterprises and organizations purporting to be Indian firms to determine if those firms both qualify for Indian preference and evidence the ability to perform the work required. Specific details of the information to be submitted and preference criteria are set forth in the Special Instructions to Bidders.

Award: The contract will be awarded to the lowest responsive bid received from a pre-qualified Indian enterprise if such bid is within "X" percent of the lowest responsive bid from any qualified bidder. "X" is defined in the Special Instructions to Bidders. If no responsive bid by a qualified Indian enterprise is within the above-stated limits, then award will be made to the bidder with the lowest responsive bid.

All contracts exceeding \$10,000 shall contain a provision requiring compliance with Executive Order 11246, entitled, "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented in Department of Labor regulations (41 CFR Part 60).

Goals and timetables for Minority Utilization shall be included in all Federal and Federally assisted construction Contracts and subcontracts in excess of \$10,000. The goals are applicable to the Contractor's aggregate on-site construction Workforce, not merely that part of the Workforce that is performing Work on a Federal or Federally assisted Contract or subcontract. The goals and timetables for Women and Minorities are available from the United States Department of Agriculture (USDA).

Plans and Specifications are on file at the Fort Berthold Housing Authority, P.O. Box 301, New Town, ND 58763, Telephone: (701) 627-4731, Fax: (701) 627-3802, where they may be examined/obtained between the hours of 8:00 A.M. and 4:30 P.M., Monday thru Friday and RK architecture, P.C., P.O. Box 3113, Bismarck, ND 58502, Cell Phone: (701) 220-0651, will furnish to any prospective Bidder a copy of such Plans and Specifications upon receipt of a deposit of \$150.00 for each set of documents obtained. Any Bidder, upon returning the Contract Documents promptly and in good condition, will be refunded the payment, and any non-bidder upon so returning the Contract Documents will be refunded \$125.00. Partial sets may be purchased at the rate of \$4.00 per drawing page and \$0.25 per specification page. This reproduction cost is non-refundable and the purchaser is responsible for determining which sheets/pages are to be reproduced with a written request. Addendum will not be sent to partial set holders.

Bidders may request that Bidding Documents be mailed from the office of the Architect-Engineer, Fort Berthold Housing Authority, by paying a Thirty Dollar (\$30.00) non-refundable handling fee or by providing the Architect with a self addressed Federal Express or UPS mailing label with the Bidder's account number listed. The Documents will be shipped via United Parcel Service.

Indian Preference in Subcontracting, Employment and Training: The successful bidder must provide preference in its award of subcontracts, and in its employment and training. All bidders must submit with their bid statements describing how they will provide Indian preference. Specific details are set forth in the Special Instructions to Bidders.

Right to Reject Any and All Bids: This Advertisement for Bids does not commit the Housing Authority to award a contract nor to pay any costs incurred in the preparation of Bids or to the procurement of supplies. The Housing Authority reserves the right to reject any and all bids, to waive any informalities or irregularities and to re-advertise when it is in the best interest of the Housing Authority. Award shall be contingent upon approval and the release of Funds by USDA - Rural Development Funding.

Dated this Fifteenth (15th.) day of July, 2009.

/s/Becky Knight,  
Becky Knight  
Executive Director Fort Berthold Housing Authority P.O. Box 310  
New Town, North Dakota 58763  
7/18, 25, & 8/8 - 604283

### BISMARCK BOARD OF CITY COMMISSIONERS UNOFFICIAL MINUTES OF JULY 28, 2009

The Board of City Commissioners met in regular session on July 28, 2009 with the following present: Sprynczynatyk, Schwab, Seminary, Grossman and Warford.

1. Approve minutes of special meeting on July 10 and regular meeting on July 14, 2009. Sprynczynatyk moved to approve both sets of minutes. Seminary seconded. All members voted Aye. The motion carried.

2. CONSENT AGENDA: A. Approve vouchers 903503 to 903701, and payroll vouchers C. Application for tax abatement for 441 Sunset Place, D. Parking Authority: encroachment agreement with BNC Bank. E. Approve agreement and waiver to install a garage on public right-of-way. F. Renew liquor licenses from August 1, 2009 to July 31, 2010. G. Call for public hearings for Ord 5736 - Permit Fees and Ord 5737 - electronic message center signs. Seminary moved to approve the consent agenda except item E. Sprynczynatyk seconded. All members voted Aye. The motion carried. E. Agreement and waiver to install garage on public right-of-way: Charlie Whitman stated that the garage will replace a garage that is already on the right-of-way. Because of the steep grade and surface water; the owner agreed to move the garage four feet west. He stated that the term of the agreement will be for five years. Sprynczynatyk moved to approve the request. Seminary seconded. All members voted Aye. The motion carried.

REGULAR AGENDA

3. Hearing Ord 5734 - zoning change; Ord 5735 - annexation and approve the final plat of Legacy Addition. Grossman moved to approve the requests. Seminary seconded. All members voted Aye. The motion carried.

4. Mayor's Economic Development Advisory Group report. Seminary reported on the findings of the Mayor's Economic Development Advisory Group (MEDAG), which was established by Bismarck Mayor Warford and Mandan Mayor Helbling and supported by the City Commissions of Bismarck and Mandan. The group produced a set of initiatives/recommendations that could enable more efficient and effective local economic development efforts. Seminary moved to receive the report. Grossman seconded. Members voting Aye were: Sprynczynatyk, Seminary, Grossman and Warford. Nays: Schwab, the motion carried.

5. DoCo Group request for assistance from the Technical Assistance Bank, a CORE Incentive Program for property at 114 North 3rd Street. This item was pulled from the agenda at the request of the applicants.

6. Street Improvement District 419. Bids received from Mariner Construction-343,911.50 and Northern Improvement-372,283.50. Grossman introduced the Resolution Receiving Bids and Ordering Preparation of Engineer's Statement; Resolution Awarding Contract to Mariner Construction, Inc. for \$343,911.50 and moved their adoption. Seminary seconded the motion on the resolutions. All members voted Aye. The motion carried and resolutions were declared adopted. Mel Bullinger, City Engineer, stated that DOT received bids on July 17; the low bid was from Mariner for \$682,392.40. He requested concurrence with DOT to award to Mariner. He stated that federal funds shall not exceed 100 percent of the eligible project cost up to \$594,755; the balance of the project cost is the obligation of the city. Sprynczynatyk moved to concur with award to Mariner Construction. Schwab seconded. All members voted Aye. The motion carried.

7. Street Improvement District 415. Bids received from Northern Improvement- \$679,306.45 and Mariner Construction- \$713,892.88. Schwab introduced the Resolution Receiving Bids and Ordering Preparation of Engineer's Statement and the Resolution Awarding Contract for the Construction to Mariner Construction for \$713,892.88. Mel Bullinger, City Engineer, requested concurrence with DOT to award to Mariner. He stated that federal funds shall not exceed 100 percent of the eligible project cost up to \$594,755; the balance of the project cost is the obligation of the city. Sprynczynatyk moved to concur with award to Mariner Construction. Schwab seconded. All members voted Aye. The motion carried and resolution was declared adopted.

8. Police Department bomb squad response vehicle. Bid received from Allen Vanguard for a 2007 Ford F-650 with 47,000 miles for \$115,000. Keith Witt, Police Chief, recommended awarding the bid conditional on a final acceptance inspection by City Fleet Maintenance to ensure the general mechanical integrity of the major drive train components. He stated that funding is available through an exist-

ing Homeland Security grant award. Schwab moved to award the bid to Allen Vanguard. Sprynczynatyk seconded. All members voted Aye. The motion carried.

9. Service Operations: a. Traffic signal controller cabinets. Schwab moved to award the bid to Traffic Control Corporation for a total of \$40,648. Seminary seconded. All members voted Aye. The motion carried. b. 50 soil probes for landfill permit. Schwab moved to award the bid to Matrix Environmental for \$6,590. Grossman seconded. All members voted Aye. The motion carried. c. Drilling services for 26 ground water monitoring wells and associated soil profile analysis for the solid waste facility permit and long range master plan. Seminary moved to award the bid to Boart Longyear for \$77,350. Grossman seconded. All members voted Aye. The motion carried.

10. Sewer Utility Project 46. Bidders: Robert Gibb & Sons-\$268,318.00; Geo Haggart -\$478,932.00; Basaraba Excavating-\$362,968.00; Cofell's Plumbing & Heating-\$327,450.52; Markwed Excavating-\$374,302.50; Northern Excavating-\$274,483.15; Weisz & Sons-\$428,982.55. Schwab moved to award bid to Robert Gibb & Sons subject to checking. Sprynczynatyk seconded. All members voted Aye. The motion carried.

11. Tractor with loader for the Airport. Greg Haug, Airport Manager, stated that staff will request State Aeronautics grant funding to supplement the local share of the project in the spring of 2010. He recommended awarding the bid to Butler Machinery for \$133,000 for new equipment. Grossman moved to award the bid to Butler Machinery Schwab seconded. All members voted Aye. The motion carried.

12. Community Bowl. Bill Wocken, City Administrator, stated that the facility is managed by a Bowl Authority board made up of representatives from the Park District, Public School District, BSC, University of Mary, St. Mary's High School and the city. He stated that the city has supported Bowl capital construction projects through the use of voter approved sales tax revenues but commission is not involved in funding operating costs. The costs are the responsibility of the entities involved in events held in the facility. He requested direction of the commission on the city's involvement with the facility. Grossman moved to continue the current policy. Schwab seconded. All members voted Aye. The motion carried.

13. Funding requests: a. North Dakota State Historical Society Foundation: ND Historical Society requested \$1 million to expand Heritage Center. Seminary stated that he did not have enough information to judge the impact on the city. He moved to table the item until the Heritage Center demonstrates survey of significant impact. Grossman seconded the motion. Sprynczynatyk stated that industry experts should be asked what sort of impact the center has on the city. Grossman stated that the legislature gave \$52M for the projects and they were to seek private funds and are now coming to the city. He stated that he was opposed to either request. Warford stated that he supported tabling the requests. Sprynczynatyk stated that groups need a reality check on fundraising and they are both good facilities. But she felt the commission should give an answer tonight and not table. Seminary and Grossman withdrew their motion and second. Schwab moved to deny the request. Grossman seconded. All members voted Aye. The motion carried.

STATE OF NORTH DAKOTA PUBLIC SERVICE COMMISSION

Allete, Inc.  
Bison I Wind Project  
Oliver/ Morton Counties Siting Application  
Case No. PU-09-151

NOTICE OF FILING AND NOTICE OF HEARING July 8, 2009.

On May 12, 2009, Minnesota Power, an operating division of Allete, Inc., (Allete) filed an application for a certificate of site compatibility to authorize construction of a 76 MW Bison I Wind Project consisting of up to 33 wind turbine generators and associated facilities in Morton and Oliver Counties, North Dakota, as shown on the attached map. The Commission finds the application is complete conditioned on the filing of final wind turbine locations on or before August 18, 2009.

A Public Hearing on the application is scheduled to begin August 25, 2009, at 10:00 a.m. CT, at the Sunset Inn, 1305-8th St. N., New Salem, North Dakota. The issues to be considered are:

1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?

2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?

3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission.

PUBLIC SERVICE COMMISSION

Tony Clark, Commissioner  
Kevin Cramer, President  
Brian P. Kalk, Commissioner

Figure 1: Project Location  
Bison I Wind Project  
Minnesota Power  
Morton & Oliver Counties, ND

7/20 & 8/8 - 604287

8/8 Bismarck